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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/724,580	
	Filing Date	November 28, 2003	
	First Named Inventor	Ewald A. Terpetschnig	
	Art Unit	1637	
	Examiner Name		
Total Number of Pages in This Submission	5	Attorney Docket Number	TER 30101B

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): ** Form PTO-1449 (two pages)
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	James R. Abney, Esq. Kolisch Hartwell, P.C.
Signature	
Date	April 13, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Renee Knight
Signature	
Date	April 13, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: April 13, 2004

EWALD A. TERPETSCHNIG, LEONID D. PATSENKER,  
and ANATOLIY TATARETS

Serial No. : 10/724,580

Group Art Unit 1637

Filed : November 28, 2003

For : LUMINESCENT COMPOUNDS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## CONTENT OF DISCLOSURE

This Information Disclosure Statement includes two pages of PTO-1449 forms; however, it does not include copies of the references listed on the form(s), as permitted under 37 C.F.R. § 1.98(d), because copies already were provided in an earlier U.S. application (Serial No. 10/396,293, filed March 24, 2003) that is relied on here for an earlier effective filing date under 35 U.S.C. § 120.

## TIMING OF DISCLOSURE / FEE INFORMATION

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

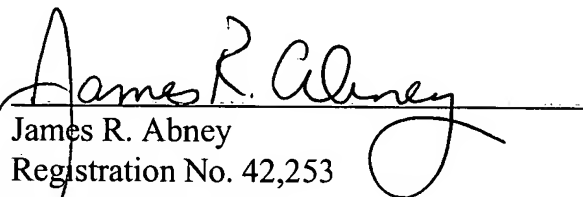
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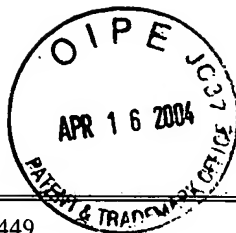
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SHEET 1 OF 2

FORM PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER TER 30101B		APPLICATION NUMBER 10/724,580		
		APPLICANTS Ewald A. Terpetschnig et al.				
		FILING DATE November 28, 2003		GROUP ART UNIT 1637		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	3,996,345	12/07/1976	Ullman et al.			
	3,998,943	12/21/1976	Ullman			
	4,883,867	11/28/1989	Lee et al.			
	5,101,015	03/31/1992	Brynes et al.			
	5,227,499	07/13/93	McGowan et al.			
	5,571,388	11/5/96	Patonay et al.			
	6,140,494	10/31/00	Hamilton et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	W0 96/41144	12/19/1996	WIPO			XX
	W0 97/40104	10/30/1997	WIPO			XX
OTHER DOCUMENTS						
	<i>Synthesis and Characterization of Unsymmetrical Squaraines: A New Class of Cyanine Dyes</i> , Terpetschnig et al., <i>Dyes and Pigments</i> , Vol. 21, pp. 227-234, 1993.					
	<i>Synthesis, spectral properties and photostabilities of symmetrical and unsymmetrical squaraines; a new class of fluorophores with long-wavelength excitation and emission</i> , Terpetschnig et al., <i>Analytica Chimica Acta</i> , Vol. 282, pp. 633-641, 1993.					
	<i>Synthesis of Squaraine-N-Hydroxysuccinimide Esters and Their Biological Application as Long-Wavelength Fluorescent Labels</i> , Terpetschnig et al., <i>Analytical Biochemistry</i> , Vol. 217, pp. 197-204, 1994.					
EXAMINER			DATE CONSIDERED			

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FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
OTHER DOCUMENTS						
	<i>Synthesis, Spectral Properties, and Detection Limits of Reactive Squaraine Dyes, a New Class of Diode Laser Compatible Fluorescent Protein Labels, Oswald et al., <u>Bioconjugate Chem.</u>, Vol. 10, pp. 925-931, 1999.</i>					
	<i>Red Laser-Induced Fluorescence Energy Transfer in an Immunosystem, Oswald et al., <u>Analytical Biochemistry</u>, Vol. 280, pp. 272-277, 2000.</i>					
EXAMINER			DATE CONSIDERED			